

566.45431X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): KANEGASAKI, et al.  
Serial No.: 10/551,793  
Filed: September 27, 2005  
For: Observing Tool and Observing Method Using the Same

Attention: APPLICATION DIVISION

REPLY TO OFFICE LETTER

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 8, 2006

Sir:

In response to the Office Letter dated September 28, 2006, in connection with the above-identified application, copy attached, attached hereto is an executed Declaration for Patent Application in compliance with 37 CFR 1.63. In addition, a credit card payment form in the amount of \$130.00 to cover the required surcharge for filing the Declaration is also attached, in accordance with 37 CFR 1.16.

Please charge any shortages in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (566.45431X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



Melvin Kraus  
Registration No. 22,466  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

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UNITED STATES PATENT AND TRADEMARK OFFICE

MK- 566. 45431X00

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,793	Shiro Kanegasaki	

20457  
 ANTONELLI, TERRY, STOUT & KRAUS, LLP  
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INTERNATIONAL APPLICATION NO.

PCT/JP04/04209

I.A. FILING DATE

PRIORITY DATE

03/25/2004

CONFIRMATION NO. 5647

371 FORMALITIES LETTER



\*OC000000020609995\*

MR's DUE 11/28/06

Date Mailed: 09/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/27/2005
- English Translation of the IA filed on 09/27/2005
- Copy of the International Search Report filed on 09/27/2005
- Copy of IPE Report filed on 09/27/2005
- Preliminary Amendments filed on 09/27/2005
- U.S. Basic National Fees filed on 09/27/2005
- Priority Documents filed on 09/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,793	PCT/JP04/04209	

FORM PCT/DO/EO/905 (371 Formalities Notice)

